

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TONYA CLAYTON, *et al.*, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

Case No. 4:21-cv-12995
Hon. Matthew F. Leitman

v.

FCA US LLC,

Defendant.

**ORDER ALLOWING ADDITIONAL DISCOVERY AND BRIEFING
REGARDING DEFENDANT’S DECLARATIONS PRODUCED IN
RESPONSE TO PLAINTIFFS’ MOTION FOR CLASS CERTIFICATION**

On September 18, 2024, the Court held a conference to address issues raised in Plaintiffs’ Motion for Leave to Take Limited Discovery Regarding Defendant’s Late-Disclosed Declarations (ECF No. 87) and Defendant FCA US LLC’s Response thereto (ECF No. 89). Having reviewed the parties’ filings and after hearing the parties’ arguments at the conference, the Court directs the parties to proceed as follows:

- Plaintiffs are granted leave to serve one set of written discovery on FCA US regarding the declarations submitted as Exhibit Q to Defendant FCA US LLC’s Opposition to Plaintiffs’ Motion for Class Certification (ECF No. 78-18);

- Plaintiffs are granted leave to issue subpoenas and to take the depositions of up to 5 of the declarants;
- Plaintiffs may file a 7-page supplemental brief in support of their Motion for Class Certification (ECF No. 63) limited to addressing the declarations produced by FCA US in its response to Plaintiffs' Motion for Class Certification within 45 days of this Order; and
- FCA US may thereafter file a 7-page supplemental brief that is limited in scope to the arguments raised in Plaintiffs' supplemental brief regarding the declarations provided by FCA US within 14 days after Plaintiffs' submission.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: September 20, 2024

Dated: September 19, 2024

Approved as to Form:

LIDDLE SHEETS COULSON P.C.

/s/ Laura L. Sheets (w/consent)

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